

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

UNITED STATES OF AMERICA, ex rel.
NICOLE SPAETH,
KRISTEN RODEHEAVER,
JACULIN O'CONNOR, and
NICOLE MICHAUD,

Case No. 10-C-611
FILED UNDER SEAL

Plaintiffs,

v.

JOHN F. SECCOMBE,
DAWN NISSEN,
SCOTT WIBBEN, and
PREVEA CLINIC, INC.

Defendants.

**UNITED STATES' REQUEST FOR DISMISSAL
AND TO PARTIALLY LIFT THE SEAL**

The United States hereby notifies the Court that a settlement has been reached between the United States, the Relators, and the Defendants. Pursuant to the settlement, the United States of America jointly requests with counsel for the Relators that this matter be dismissed and applies to this Court, pursuant to the FCA, 31 U.S.C. §3730(b)(2), to partially lift the seal on this matter. As to the Dismissal, the United States requests that the Complaint in *U.S., ex rel Spaeth, Rodeheaver, O'Connor and Michaud v. John F. Seccombe, et al*, Case No. 10-C-611, be dismissed with prejudice.

Moreover, the United States requests a partial lifting of the seal so that (1) the Complaint in this matter, (2) the United States' Notice of Election to Intervene, (3) this request, and (4) any

resulting orders from this request may be publically disclosed. With exception of those documents, the United States requests that all other pleadings (including, but not limited to, all requests for extensions and any memoranda and declarations in support thereof) remain under seal and not be made public or served upon the defendants. Those filings are provided by law to the Court alone and discuss the content and extent of the United States' investigation for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended. Therefore, the United States requests that the seal be maintained on all other pleadings filed in this case.

A proposed order accompanies this request and is being filed herewith for the Court's convenience.

The United States of America

Dated this 28th day of March, 2013.

Respectfully submitted,

JAMES L. SANTELLE
United States Attorney

By: /s/ Stacy C. Gerber Ward

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The Relators

Dated this 20th day of March, 2013.

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